

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b> 10/639,050	<b>Applicant(s)</b> ZARINS ET AL.	
	<b>Examiner</b> Charles A. Marmor, II	<b>Art Unit</b> 3736	

**All Participants:**
**Status of Application:** Amended

 (1) Charles A. Marmor, II.

(3) \_\_\_\_\_.

 (2) Diane K. Wong.

(4) \_\_\_\_\_.

**Date of Interview:** 18 November 2005
**Time:** 1:00 PM (EST)
**Type of Interview:**

- ☒ Telephonic  
☐ Video Conference  
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

 Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

**Part I.**

Rejection(s) discussed:

*New Rejections responsive to the Newly Added claims. The specific rejections are made in the Final Rejection of Paper No. 11182005*

Claims discussed:

58-62

Prior art documents discussed:

*US Patent No. 5,906,599 (Kaldany) and US Patent No. 6,350,244 (Fisher)*
**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*
**Part III.**

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner indicated allowability of claims 48-57, and explained that both the Fisher patent and the Kaldany patent could be interpreted to read on New independent claim 58. Applicant's representative stated that the Fisher patent would be discussed with the Applicant. Applicant's representative then argued that Kaldany teaches delivery of biological agents rather than tissue markers and suggested that an amendment might be made to the claim to in order to highlight the type of markers employed in the instant application. No agreement was reached. The Examiner indicated that a Final Rejection would follow.